

Refer to:
OSB99-0146

July 7, 1999

Randall F. Smith
Director, Water Division
U.S. Environmental Protection Agency
1200 Sixth Avenue
Seattle, Washington 98101

Re: Biological and conference opinion on EPA's approval of Oregon's water quality standards for dissolved oxygen, temperature and pH, and accompanying conservation measures

Dear Mr. Smith:

Enclosed is a biological and conference opinion (Opinion) prepared by the National Marine Fisheries Service (NMFS) pursuant to section 7 of the Endangered Species Act (ESA). The subject of this consultation is the Environmental Protection Agency's (EPA's) pending approval of the Oregon water quality standards for dissolved oxygen, temperature, and pH, and accompanying proposed conservation measures by EPA and the Oregon Department of Environmental Quality (ODEQ). The NMFS concludes in this opinion that the proposed actions are not likely to jeopardize the continued existence of the listed, proposed, and candidate species named below, or result in the destruction or adverse modification of designated critical habitat.

Species addressed by this Opinion include chinook salmon (Snake River spring/summer and fall, Upper Willamette River, Lower Columbia River, Southern Oregon/California Coastal), coho salmon (Southwest Washington/Lower Columbia River, Oregon Coast, and Southern Oregon/Northern California), Columbia River chum salmon, steelhead trout (Snake River Basin, Middle and Lower Columbia, Upper Willamette, Oregon Coast, and Klamath Mountains Province), and cutthroat trout (Umpqua River sea-run, and southwestern Washington/Lower Columbia River coastal). This opinion constitutes formal consultation for those anadromous fish species that are listed and a formal conference for those that are proposed for listing.

The NMFS acknowledges the excellent scientific review of water quality issues carried out by the Oregon Department of Environmental Quality (ODEQ) in their development of the current standards, and commends the agency for standard revisions that benefitted anadromous fish. We also appreciate the cooperation of ODEQ staff in answering questions about the standards and in development of the conservation measures. Finally, we commend your staff for preparing a thorough biological assessment and for cooperating on many details of the the consultation.

As you know, NMFS, the EPA, the ODEQ, and the U.S. Fish and Wildlife Service will be working together closely in the coming years to implement the conservation measures, and the terms and conditions of the Opinion. We look forward to continued cooperation to further our mutual goals of restoring water quality and our region's imperiled aquatic communities.

Sincerely,

A handwritten signature in black ink, appearing to read "Will Stelle, Jr.", with a stylized flourish at the end.

William Stelle, Jr.
Regional Administrator

Enclosure

cc: Russel Peterson, USFWS
Mike Llewelyn, ODEQ